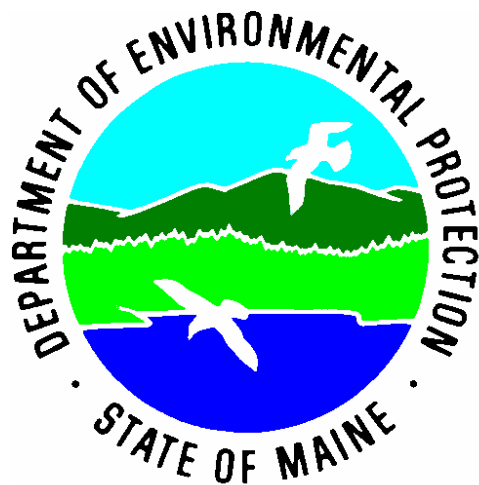


**MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OVERBOARD DISCHARGE REMOVAL GRANT PROGRAM**

**Individual Property Owner Grant Application Package  
and Project Manual**



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# INSTRUCTIONS FOR COMPLETING THE OBD GRANT APPLICATION

## A complete OBD Grant Application contains the following:

A completed application form

A completed New Vendor

A copy of the deed showing the names of all the owners(not required for 25% grant)

A copy of the tax documents for all the owners(not required for 25% grant)

## Completing the Grant Application Form

### 1. APPLICANT INFORMATION

Please provide the name, tax id number (social security or employer ID number), mailing address, telephone, and e-mail address if available of the grant applicant(s). All correspondence and the payment will be made to the applicant. Provide the Maine DEP discharge license number, town location of the OBD, and name(s) of the holders of the discharge license.

Please also check off the appropriate project type, if known:

**Priority 1 Shellfish or Water Quality** - The discharge will be removed from an area certified as a shellfish area by the Maine Department of Marine Resources or the Local Shellfish Committee, or because the overboard discharge is causing a public nuisance as defined by the rules in Chapter 594.

**Priority 2 Property Transfer** – The discharge is being removed because a technologically proven alternative has been found during a property transfer as required by 38 MRSA §413.

**Priority 3 Voluntary Removal** – The discharge is being voluntarily replaced with a cost effective alternative disposal method, in an area not included in Priority 1.

Priority 1 projects will received a grant commitment prior to construction if funds are available. Priority 2 and 3 projects will be reimbursed from funds available at the end of the year.

### 2. PROPERTY INFORMATION

Include a copy of the deed for the property showing all the owners. Also include the address, book/page number of the recorded deed, and tax map/lot number from the town tax maps.

### 3. INCOME INFORMATION

Include copies of the appropriate income tax forms for the use of the property for all the owners. For residences, either year round or seasonal, include the **taxable income** line from form 1040. For commercial property, use gross profit from the business return. For Rental Property, use Gross Rents on the appropriate return. The enclosed “Frequently Asked Questions” contains further information on which tax forms are needed. Include a summary showing the total income of all the owners and check the appropriate level on the application. Income information is not required if applying for 25% grant.

## **5. CERTIFICATION OF THE APPLICANT**

The name, title, date, signature (and power of attorney or authority to file affidavit, if applicable) must be included.

### **INSTRUCTIONS FOR COMPLETING THE NEW VENDOR FORM**

It is assumed that all OBD individual applicants are new vendors for the purposes of payment. If you already have a vendor account with the State of Maine for payment purposes, then please supply this information.

1. Use the left side of the form for the Name, Address, City, State, and zip.
2. Enter the appropriate tax id number. For individuals, this is the social security number. For businesses with employees it is the employer ID number.
3. Enter yes for the vendor type.
4. Sign and date the form.

### **SEND THE COMPLETE APPLICATION TO**

Richard A. Green, P.E.

ME Dept of Environmental Protection

17 State House Station

Augusta, ME 04333-0017

Phone (207)287-7765

FAX (207)287-7191

email: richard.a.green@maine.gov

Please include with the completed application:

- ☐ Completed Application Form
- ☐ Copy of Deed
- ☐ Copy of Tax Return
- ☐ Completed "New Vendor Form"



# GRANT APPLICATION & OWNER AGREEMENT

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
17 STATE HOUSE STATION AUGUSTA, MAINE 04333

## OVERBOARD DISCHARGE REMOVAL GRANT PROGRAM

### APPLICANT INFORMATION

APPLICANT NAME(GRANT RECIPIENT)

TAX ID NUMBER(SS OR EID)

MAILING ADDRESS

TELEPHONE#

EMAIL ADDRESS

OBD LICENSE NUMBER

TOWN

NAMES ON LICENSE

PROJECT TYPE: ☐ SHELLFISH OR WATER QUALITY ☐ VOLUNTARY ☐ PROPERTY TRANSFER

### PROPERTY INFORMATION

NAME(S) ON DEED

PROPERTY ADDRESS

BOOK/PAGE(ATTACH COPY OF DEED):

TAX MAP/ LOT NUMBER

### INCOME INFORMATION

GRANT APPLIED FOR

ANNUAL INCOME

\*MAXIMUM GRANT %

☐

0-\$24,999

100%

☐

\$25,000-\$50,000

90%

☐

\$50,001-\$75,000

50%

☐

\$75,001-\$100,000

35%

☐

GREATER THAN \$100,000

25%

### CERTIFICATION OF APPLICANT

I certify that the information provided herein is true and accurate to the best of my knowledge. I agree to follow the rules of the Overboard Discharge Grant Program and provide evidence of compliance with the rules. I understand that grant reimbursement is subject to availability of grant funds and may not be available when requested,

I further understand that the Department of Environmental Protection does not guarantee the quality or performance of the project. I agree to maintain the replacement system according to the standards recommended for the type of system that I have, including pumping out the septic tank every three years.

PRINTED NAME AND TITLE(ATTACH POWER OF ATTORNEY OR AUTHORITY TO FILE)

SIGNATURE

DATE

- ☐ NEW VENDOR  
☐ CHANGE REQUEST  
☐ MULTI ADDRESS

STATE OF MAINE  
NEW VENDOR/VENDOR UPDATE



| NAME/ADDRESS (NEW ADDRESS IF CHANGE) | (OLD ADDRESS IF CHANGE) |
|--------------------------------------|-------------------------|
| Name                                 |                         |
|                                      |                         |
| Address                              |                         |
|                                      |                         |
| City, State, and Zip code            |                         |

Individual or sole proprietor

|                        |  |  |  |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|--|--|--|
| Social Security Number |  |  |  |  |  |  |  |  |  |
|                        |  |  |  |  |  |  |  |  |  |

|              |  |
|--------------|--|
| ACCT. NUMBER |  |
| CONTACT NAME |  |

TAX I.D. NO.

or

Corporation

|                                |  |  |  |  |  |  |  |  |  |
|--------------------------------|--|--|--|--|--|--|--|--|--|
| Employer Identification Number |  |  |  |  |  |  |  |  |  |
|                                |  |  |  |  |  |  |  |  |  |

|                    |  |
|--------------------|--|
| CONTACT PHONE      |  |
| ACCT. REC. CONTACT |  |

COMMENT: \_\_\_\_\_

VENDOR DESCRIPTION - ENTER Y (YES) FOR ALL THAT APPLY

|              |       |                 |       |                    |       |
|--------------|-------|-----------------|-------|--------------------|-------|
| DEALER       | _____ | INDIVIDUAL      | _____ | SMALL              | _____ |
| MANUFACTURER | _____ | SOLE PROPRIETOR | _____ | IN-STATE           | _____ |
| JOBBER       | _____ | PARTNERSHIP     | _____ | SERVICES (NON-MED) | _____ |
| RETAILER     | _____ | INCORPORATED    | _____ | MEDICAL SERVICES   | _____ |
| FACTORY REP  | _____ | COMMODITY       | _____ | GOVERNMENT ENTITY  | _____ |
|              |       | MINORITY        | _____ | NON-PROFIT CORP.   | _____ |

Submitted By: \_\_\_\_\_ Date \_\_\_\_\_  
AUTHORIZED VENDOR'S SIGNATURE

Title: \_\_\_\_\_

BUREAU OF ACCOUNTS AND CONTROL USE ONLY

|                              |
|------------------------------|
| VENDOR CODE _____ 1099 _____ |
|------------------------------|

# **MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

## **Overboard Discharge Removal Grant Program**

### **Frequently Asked Questions**

#### **Topics:**

- **What is an Overboard Discharge?**
- **My Overboard Discharge works fine. Why do I need to remove it?**
- **Who can apply for an Overboard Discharge Removal grant?**
- **What funding is available for other types of wastewater projects?**
- **How do I apply for an OBD Grant**
- **How much will the grant pay to remove my OBD?**
- **How do I determine what my income is?**
- **What additional steps do I follow to remove my OBD?**
- **When will I receive my grant payment?**
- **Will the State guarantee my grant payment?**

#### **What is an Overboard Discharge?**

An Overboard Discharge (OBD) is a small wastewater treatment plant, which purifies and disinfects sewage from homes, businesses, schools, and institutions and discharges the treated effluent to a surface waterbody. All discharges of wastewater are required to be treated and are regulated by the Maine Department of Environmental Protection. OBDs differ from other types of wastewater treatment plants such as municipal or industrial facilities because they are smaller and are not monitored as closely. OBDs can legally discharge wastewater to receiving water if they have a valid discharge license from the DEP. Untreated discharges are illegal and are not eligible to receive grant assistance under the OBD program, although they may qualify for DEP's Small Community Grant Program.

#### **My Overboard Discharge works fine. Why do I need to remove it?**

Overboard discharges were originally developed as an alternative for wastewater disposal on sites that did not have a public sewer and were not suitable for septic systems. They were always considered to be a "last resort" but were allowed in areas that had enough water to dilute them. Although the treated wastewater was of high quality, it still contained traces of pollutants and disease causing microorganisms. Changes in national sanitation laws made during the 1980s caused large areas of the coast to be closed to shellfishing simply because the large numbers of OBDs represented a potential threat to health. New overboard discharges were banned by the state and the Overboard Discharge Grant Program was created in an attempt to open shellfish areas and eliminate nuisance conditions. In 2003 the legislature amended the OBD laws further and required their removal if a technologically proven alternative could be found. This legislation is anticipated to result in the removal of most, but not all OBDs.

#### **Who can apply for an Overboard Discharge Removal grant?**

A municipality (a city or town government) or a sanitary or sewer district may apply for and be awarded a grant to remove some or all of the overboard discharges within their jurisdiction. Individual owners of overboard discharges may also apply directly for a removal grant, although individuals can only be reimbursed after the work is complete and all bills paid. Grants can only be awarded if the project plans are approved by the Department of Environmental Protection before the project is constructed.

#### **What funding is available for other types of wastewater projects?**

The Maine Department of Environmental Protection also administers the Small Community Grant Program, which can help replace malfunctioning septic systems, and the State Revolving Loan Program, which provides low interest loans to towns that want to upgrade wastewater facilities. Except for the overboard discharge grant program, the DEP can't provide grants or loans directly to privately owned projects. The USDA 504 loan program, and certain programs through the local Community Action Agency may provide funding directly to property owners if they are eligible.

#### **How do I apply for an OBD Grant?**

Overboard discharge grant application packages are available by request through the DEP from Richard Green, Maine Department of Environmental Protection, 17 State House Station, Augusta, ME 04333, (207)287-7765, email richard.a.green@maine.gov. The completed application consists of a one page application form accompanied by a copy of the deed showing the property owners and copies of tax forms showing the previous year's income of the owners. The application will be acknowledged by the Department with a letter of acceptance or denial. The acceptance letter will show the grant percentage that is approved for the project.

### **How much will the grant pay to remove my OBD?**

The law change of 2003 changed the percentage that the grant will pay. The previous law specified a percentage based on the use of the property. The new law funds all OBD removals based on income, according to the following chart:

| ANNUAL INCOME |         |           | GRANT PERCENTAGE |
|---------------|---------|-----------|------------------|
| \$0           | TO      | \$24,999  | 100%             |
| \$25,000      | TO      | \$50,000  | 90%              |
| \$50,001      | TO      | \$75,000  | 50%              |
| \$75,001      | TO      | \$100,000 | 35%              |
| \$100,001     | OR MORE |           | 25%              |

For a publicly owned overboard discharge facility, 50% to a maximum of \$150,000.

"Annual income" means the sum of all the property owner's federal taxable income for the previous year for single family dwellings, gross profits for the previous year for commercial establishments and gross rents for the previous year for rental properties, as listed on the relevant federal income tax returns.

The grant will only pay for the minimum work necessary to replace the OBD. Costs such as excessive landscaping or additional work not required by the state plumbing code are not eligible and must be kept separate.

### **How do I determine what my income is?**

The taxable income, gross profit income, or total rents reported for all the property owners are added together to determine annual income. The following are some tax form line numbers to use for 2002:

| Taxable Income |             | Gross Profit  |             | Gross Rents |             |
|----------------|-------------|---------------|-------------|-------------|-------------|
| Form           | Line Number | Form          | Line Number | Form        | Line Number |
| 1040           | 41          | Schedule C    | 5           | 1120        | 6           |
| 1040a          | 27          | Schedule C-EZ | 1           | Schedule E  | 3           |
| 1040EZ         | 6           | 1120          | 3           |             |             |

### **What additional steps do I follow to remove my OBD?**

The grant application contains a project checklist showing additional steps, in their usual order, that must be followed. The application also contains additional paperwork that must be completed, once approval is received from the department, in order to complete the removal process and be eligible for repayment.

### **When will I receive my grant payment?**

Projects that are administered through the town will require that the OBD owner pay their share of the costs and the

town will receive and pay the state share. Projects that are administered directly by property owners will not receive payment until the work is complete and the contractor certifies that he has been paid.

**Will the State guarantee my grant payment?**

Projects that are administered through the town will receive a grant commitment from the state prior to proceeding with the project. Once grant funding is committed, the payment is guaranteed as long as the proper procedures are followed. Projects not administered through the town may receive a grant commitment if funding is available and the project is a high priority (Priority 1). Other projects will be approved but will not be guaranteed funds immediately, although they will be put on a waiting list and receive reimbursement as funds become available.

**What priorities are used for the grant program?**

The grant program priorities, from highest to lowest, are:

**Priority 1 Shellfish or Water Quality** - The discharge will be removed from an area certified as a shellfish area by the Maine Department of Marine Resources or the Local Shellfish Committee, or because the overboard discharge is causing a public nuisance as defined by the rules in Chapter 594.

**Priority 2 Property Transfer** – The discharge is being removed because a technologically proven alternative has been found during a property transfer as required by 38 MRSA §413.

**Priority 3 Voluntary Removal** – The discharge is being voluntarily replaced with a cost effective alternative disposal method, in an area not included in Priority 1.

Priority 1 projects will received a grant commitment prior to construction if funds are available. Priority 2 and 3 projects will be reimbursed from funds available at the end of the year.

Priority 2 projects are required by law to be done whether grant funding is immediately available or not.



# DEP OBD Removal Grant Program Checklist

**Property Owner(Print):** \_\_\_\_\_

**License Number** \_\_\_\_\_

| <b>Date:</b> | <b>Description:</b>                                      |
|--------------|----------------------------------------------------------|
|              | Application Submitted to DEP for Funding                 |
|              | Receive DEP Letter accepting application                 |
|              | Design Replacement System                                |
|              | Send Copy of Design for DEP review                       |
|              | Obtain Plumbing permit from Town                         |
|              | Obtain Variance from Health Engineering(if needed)       |
|              | Solicit bids                                             |
|              | Submit Bid results and request for grant to DEP          |
|              | Receive DEP grant offer or letter of commitment          |
|              | Bids awarded/ contract signed                            |
|              | Notify DEP of construction schedule                      |
|              | Complete Construction                                    |
|              | Inspection checklist w/ photos completed and sent to DEP |
|              | Sign Contractor Payment Certification                    |
|              | Request Reimbursement from DEP                           |

# **INSTRUCTIONS FOR COMPLETING THE OVERBOARD DISCHARGE REPLACEMENT PROJECT**

(See Checklist on previous page)

The checklist on the previous page lists the step-by-step procedures for an Overboard Discharge replacement project funded through the DEP grant program. These instructions are intended to clarify the items on the checklist.

## **Application Submitted to DEP for Funding**

The first step in replacing an overboard discharge under the DEP grant program is to apply for a grant. The application and instructions are found earlier in this document.

## **Receive DEP Letter accepting application**

After the application is received by DEP you will receive a letter either accepting the application as is or requesting additional information. This letter will also estimate the grant percentage that you are eligible for, based on the income information. Note: The actual grant participation will be determined based on your income during the year prior to construction of the project. Thus, if the project is built in 2004, the income from you 2003 income tax will be used.

## **Design Replacement System**

Replacement septic systems must be designed by a Licensed Site Evaluator. The Site Evaluator will investigate your property and determine the best type of systems based on the specific conditions. A Site Evaluator will generally explain how the recommendation was arrived at if requested. A list of site evaluators who practice locally is probably available at your town office. A statewide list can be found at [http://www.state.me.us/dhs/eng/plumb/Adobe/se\\_list.pdf](http://www.state.me.us/dhs/eng/plumb/Adobe/se_list.pdf). Projects that involve connection in the public sewer may require the services of a Registered Engineer. Your Local Plumbing Inspector or Sewer Department may have additional information on requirements for sewer connections.

## **Send Copy of Design for DEP review**

Send a copy of the design to:

|                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------|
| <p>Richard A. Green<br/>Maine Department of Environmental Protection<br/>17 State House Station<br/>Augusta, ME 04333-0017</p> |
|--------------------------------------------------------------------------------------------------------------------------------|

You will receive a letter from the DEP approving of the design.

### **Obtain Plumbing permit from Town**

A plumbing permit needs to be obtained from the Local Plumbing Inspector or Code Enforcement Officer.

### **Obtain Variance from Health Engineering(if needed)**

Under certain circumstances a state variance to the Rules may be needed. The design plans should indicate if this is the case. The variance is generally handled by the Local Plumbing Inspector or Code Enforcement Officer.

### **Solicit Bids**

DEP allows individuals to solicit contractor bids rather than by formal advertisement for individual OBD projects. A least three bids should be obtained from reputable contractors. A list of contractors who have obtained training and voluntary certification to install septic systems is found at <http://www.state.me.us/dhs/eng/plumb/Adobe/installers10-03.pdf>.

### **Submit Bid results and request for grant to DEP**

Send copies of the bids, and the completed Bid Summary Form, and up-to-date income tax information, if necessary, to:

|                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------|
| Richard A. Green<br>Maine Department of Environmental Protection<br>17 State House Station<br>Augusta, ME 04333-0017 |
|----------------------------------------------------------------------------------------------------------------------|

### **Receive DEP grant offer or letter of commitment**

You will receive a letter authorizing award of the contract to the low bidder, and a grant commitment. The commitment will consist a determination of the approved grant amount based on the bid and the grant percentage as which applies. For High Priority projects and actual grant offer will be sent encumbering grant funds which will be available as soon as the project is completed. For Low Priority projects the letter will state that the approved amount will be paid when low priority funds are available according to the program rules. Low priority project funding will be determined at the end of the construction season.

### **Bids awarded/ contract signed**

After receiving a grant offer or commitment letter from DEP, the construction contract may be signed, authorizing the work to be started.

### **Notify DEP of construction schedule**

You may notify DEP in writing or by telephone.

## **Complete Construction**

Construction is considered complete after the work is completely done, including abandoning the overboard discharge and restoring the area. Unless special arrangements are made, no grant payments will be made until the work is complete.

## **Inspection checklist w/ photos completed and sent to DEP**

The Inspection checklist, completed by the Local Plumbing Inspector, will be used as verification that the Overboard Discharge is no longer in use. No grant payments will be made until this form is completed and received by DEP.

## **Sign Owner/Contractor Payment Certification**

This signed form will be used as verification that the contractor has been paid and released any claims on the project.

## **Request Reimbursement from DEP**

Use the OBD Owner's Payment Request Form found in this package. Include a copy of the paid invoice for all costs claimed. For each category (design, construction, inspection, etc) fill in the actual costs backed by the invoices. Total all eligible costs and multiply by the approved grant percentage which was previously determined. When making a claim for payment also include a completed copy of the "DEP OBD Removal Grant Program Checklist" found on page 9.

## **List of Additional Forms**

|                                                      |
|------------------------------------------------------|
| Bid Summary Form                                     |
| Owner/Contractor Payment Certification               |
| OBD Grant Program Septic System Inspection Checklist |
| Grant Payment Request Form                           |

# OVERBOARD DISCHARGE GRANT PROGRAM BID SUMMARY FORM

Property Owner Name \_\_\_\_\_

OBD License Number \_\_\_\_\_

List bidders and prices, from lowest to highest:

| BIDDER NAME | BID PRICE |
|-------------|-----------|
|             |           |
|             |           |
|             |           |
|             |           |
|             |           |

I intend to award this construction contract to \_\_\_\_\_

in the amount of \$ \_\_\_\_\_.

Signed \_\_\_\_\_

Date \_\_\_\_\_

(Include copies of each bid with this form)

If you do not intend to award the contract to the low bidder, please state the reasons below or on a separate sheet: Projects which don't use the low bidder will not receive grant funding unless approval is granted from DEP.

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**MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OVERBOARD DISCHARGE GRANT PROGRAM**

|                                                     |
|-----------------------------------------------------|
| <b>OWNER / CONTRACTOR PAYMENT<br/>CERTIFICATION</b> |
|-----------------------------------------------------|

**OBD LICENSE NUMBER:** \_\_\_\_\_

**INSTRUCTIONS:** THIS FORM MUST BE EXECUTED AND RETURNED TO THE DEP AT PROJECT COMPLETION.

|                            |
|----------------------------|
| <b>OWNER CERTIFICATION</b> |
|----------------------------|

**I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THE PROJECT WAS CONSTRUCTED UNDER THE TERMS OF THE GRANT AGREEMENT AND THE CONTRACTOR HAS BEEN PAID THE FOLLOWING AMOUNTS:**

**90% OF THE CONTRACT AMOUNT WHEN THE PROJECT WAS SUBSTANTIALLY COMPLETED. THAT IS, ALL STRUCTURES WERE INSTALLED AND OPERATING AND ALL DISTURBED AREAS WERE LOAMED AND SEEDED.**

**AMOUNT PAID: \$** \_\_\_\_\_ **DATE PAID:** \_\_\_\_\_

**THE REMAINING 10% OF THE CONTRACT AMOUNT WHEN ALL WORK WAS COMPLETED AND OPERATIONAL IN ACCORDANCE WITH THE CONTRACT DOCUMENTS, INCLUDING A CATCH OF GRASS.**

**AMOUNT PAID: \$** \_\_\_\_\_ **DATE PAID:** \_\_\_\_\_

|                                              |                                   |
|----------------------------------------------|-----------------------------------|
| <b>NAME OF PROPERTY OWNER (PLEASE PRINT)</b> | <b>LOCATION OF PROJECT (TOWN)</b> |
| <b>PROPERTY OWNER'S SIGNATURE</b>            | <b>PHONE</b>                      |

|                                 |
|---------------------------------|
| <b>CONTRACTOR CERTIFICATION</b> |
|---------------------------------|

**I CERTIFY THAT I HAVE PERFORMED ALL WORK SHOWN ON THE PLANS AND DESCRIBED IN THE SPECIFICATIONS, THE WORK IS COMPLETED AND OPERATIONAL IN ACCORDANCE WITH THE CONTRACT DOCUMENTS, AND I HAVE BEEN PAID THE TOTAL CONTRACT AMOUNT OF \$** \_\_\_\_\_

|                                       |              |
|---------------------------------------|--------------|
| <b>NAME OF COMPANY (PLEASE PRINT)</b> | <b>PHONE</b> |
| <b>CONTRACTOR'S SIGNATURE</b>         | <b>DATE</b>  |

DAOBD20L.DOC

# OVERBOARD DISCHARGE GRANT PROGRAM SEPTIC SYSTEM INSPECTION CHECKLIST

|                                                                                                                                                                                                                                                            |                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| PROPERTY OWNER                                                                                                                                                                                                                                             | OBD LIC. NUMB.  |
| TOWN                                                                                                                                                                                                                                                       | DATE            |
| CONTRACTOR                                                                                                                                                                                                                                                 |                 |
| DESIGNER                                                                                                                                                                                                                                                   |                 |
| INSPECTOR                                                                                                                                                                                                                                                  |                 |
| <b>ITEM INSPECTED</b>                                                                                                                                                                                                                                      | <b>INITIALS</b> |
| 1. The ORIGINAL SOIL beneath the system was dry and properly prepared by scarifying.                                                                                                                                                                       |                 |
| 2. The SEPTIC TANK is of the size and materials shown on the plans.<br>Tank size= _____ gals.                                                                                                                                                              |                 |
| 3. The DISPOSAL AREA DIMENSIONS are as shown on the plans.<br>Dimensions = _____ ft x _____ ft.                                                                                                                                                            |                 |
| 4. The DISPOSAL AREA is located as shown on the plans.                                                                                                                                                                                                     |                 |
| 5. The DISPOSAL AREA is at the proper elevation.                                                                                                                                                                                                           |                 |
| 6. The SYSTEM is level within 1 inch per 100 feet.                                                                                                                                                                                                         |                 |
| 7. The FILL is of the specified texture.<br>Texture specified: _____                                                                                                                                                                                       |                 |
| 8. The FILL OVER THE SYSTEM is crowned at a 3% slope to facilitate drainage.                                                                                                                                                                               |                 |
| 9. The FILL EXTENSIONS are no steeper than a 4:1 slope unless otherwise called for.                                                                                                                                                                        |                 |
| 10. The CRUSHED STONE was the proper size, cleanliness, and depth.                                                                                                                                                                                         |                 |
| 11. The proper NUMBER OF CHAMBERS or PROPRIETARY DISPOSAL DEVICES were used. # of Devices: _____ Supplier: _____                                                                                                                                           |                 |
| 12. The PUMP STATION has been installed properly, wired according to the specifications, including two separate circuits for the pump & alarm, and has been tested.                                                                                        |                 |
| 13. The SEPTIC TANK and RISERS have been properly sealed.                                                                                                                                                                                                  |                 |
| 14. All DISTURBED AREAS have been loamed, seeded, and mulched.                                                                                                                                                                                             |                 |
| 15. The BUILDING has been properly connected to the new system.                                                                                                                                                                                            |                 |
| 16. The existing OVERBOARD DISCHARGE SYSTEM has been properly abandoned.                                                                                                                                                                                   |                 |
| 17. INSPECTOR'S COMMENTS (List any DEVIATIONS from plans): _____<br>_____<br>_____                                                                                                                                                                         |                 |
| I certify that I have inspected the septic system described above and that, unless noted, have found that each item I inspected was installed in accordance with the Contract Documents.<br><br><div style="text-align: center;">_____<br/>Signature</div> |                 |

A copy of this inspection form, along with two photographs of the system, must be sent to the Maine Department of Environmental Protection, Division of Engineering and Technical Assistance, 17 State House Station, Augusta, ME 04333-0017. One photo is to be taken just before covering the system, and the second after grass is established. Final payment may not be made to the Contractor until this has been done.

SepticSystemInspectionChecklist.doc

**MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**OVERBOARD DISCHARGE GRANT PROGRAM**  
**OWNER'S PAYMENT REQUEST FORM**

|                                                       |                                          |
|-------------------------------------------------------|------------------------------------------|
| <b>LICENSE NUMBER</b>                                 | <b>LOCATION OF PROJECT</b><br><br>(TOWN) |
| <b>OWNER'S PRINTED NAME</b>                           | <b>MAILING ADDRESS</b>                   |
| <b>OWNER'S SIGNATURE</b>                              | <b>DATE</b>                              |
| <b>DESIGN COST</b><br><br>(LPI OR PE)                 | \$<br><br>(ATTACH INVOICE)               |
| <b>CONSTRUCTION COST</b><br><br>(CONTRACTOR)          | \$<br><br>(ATTACH CONTRACT AGREEMENT)    |
| <b>INSPECTION COST</b><br><br>(LPI OR PE)             | \$<br><br>(ATTACH INVOICE)               |
| <b>CHANGE ORDER COST</b><br><br>(IF APPLICABLE)       | \$<br><br>(ATTACH INVOICE)               |
| <b>OTHER COSTS</b><br><br>(PLUMBING PERMIT FEE, ETC.) | \$<br><br>(ATTACH INVOICE)               |
| <b>TOTAL PROJECT COST</b>                             | \$                                       |
| <b>% DEP GRANT</b> ( 25% - 35% - 50% - 90% - 100%)    | X                                        |
| <b>DEP GRANT PAYMENT REQUESTED</b>                    | \$                                       |

Include paid invoices to support all costs claimed. Also include a completed "DEP OBD Removal Grant Program Checklist" form found on Page 9.



**Chapter 594: STATE CONTRIBUTION TO OVERBOARD DISCHARGE REPLACEMENT PROJECTS**

SUMMARY: This chapter implements 38 M.R.S.A. § 411-A. The intent of this chapter is to clarify how the State contribution for replacement projects to eliminate overboard discharges required by 38 M.R.S.A. § 414-A (1-B) will be administered by the Department of Environmental Protection.

**1. Definitions**

- A. Applicant.** An "applicant" is a person, a municipality, a quasi-municipal organization, or county commissioners acting on behalf of an unorganized township or plantation.
- B. Commercial overboard discharge.** A "commercial overboard discharge" means an overboard discharge from a building primarily used for the purposes of trade or commerce, a non-profit organizational endeavor, a municipal or quasi-municipal government purpose, or for renting for periods greater than six months in any year.
- C. Overboard discharge.** An "overboard discharge" is a discharge to the surface waters of the State of domestic pollutants not conveyed to and treated in municipal or quasi-municipal sewerage treatment facilities.
- D. Public nuisance condition.** A "public nuisance condition" means an existing overboard discharge to a receiving water that is:
- (1) A Class GPA, A, or SA water;
  - (2) A tributary to a class GPA water;
  - (3) A water body with a drainage area of less than 10 square miles; or
  - (4) A violation of 38 M.R.S.A. §§ 464, 465, 465-A or 465-B.
- E. Seasonal residential overboard discharge.** A "seasonal residential overboard discharge" means an overboard discharge from a human habitation that is not defined as a "commercial overboard discharge" or "year-round overboard discharge".
- F. Shellfish harvesting area.** A "shellfish harvesting area" is an area where shellfish, including any species of clams, quahogs, mussels and oysters are or may be located, including known productive areas; areas where shellfish may be found; habitat where it is reasonable to assume shellfish may be found in the future; and, areas where shellfish may be stored (wet storage), processed or cultivated, as determined by the Department of Marine Resources.
- G. Year-round residential overboard discharge.** A "year-round residential overboard discharge" means an overboard discharge from a human habitation that is continuously occupied by the owner for 6 months or more in any calendar year and is the legal residence of the owner for State and Federal income tax purposes.

2. **Funding.** Funding is in accordance with 38 M.R.S.A. § 411-A and subject to the availability of funds under 38 M.R.S.A. § 411.
3. **Priority.** The commissioner shall authorize grants according to the following priority.
  - A. **First priority.** Elimination of discharges to shellfish harvesting areas and elimination of public nuisance conditions;
  - B. **Second priority.** Reimbursement pursuant to 38 M.R.S.A. § 411-A(4); and
  - C. **Third priority.** Reimbursement for elimination of discharges that do not qualify for funding pursuant to Section 3(A) and Section 3(B) of this chapter .
4. **Eligibility.** Persons, municipal, quasi-municipal organizations and county commissioners may be eligible to receive funds to eliminate overboard discharges that cannot be relicensed under 38 M.R.S.A. § 414-A(1-B). No projects will be eligible for funding until the department reviews and approves the project. A person who removed an overboard discharge between June 1, 1987 and September 30, 1989, or after September 30, 1989 according to plans and specifications approved by the commissioner in advance of construction but prior to the offering of a grant by the department, resulting in elimination of sources of contamination to shellfish areas or elimination of public nuisance conditions is reimbursed subject to Section 2 above.
5. **Application for funds.** An application is a written document from the project applicant. The document must include the number and type (year-round residential overboard discharge, seasonal residential overboard discharge or commercial overboard discharge) of sanitary systems involved.
6. **Use of grant funds**
  - A. **Eligible costs.** State funds may be used to pay for the following work and services.
    - (1) Design of the treatment and disposal system.
    - (2) Construction of the treatment and disposal system up to and including connections through the foundation wall, as necessary.
    - (3) Inspection of the system by a qualified person(s).
    - (4) Administrative services, associated with the project.
    - (5) Reasonable abandonment costs of the overboard discharge system as determined by the commissioner.
  - B. **Non-eligible costs.** State funds may not be used for the following costs.
    - (1) Internal plumbing required to allow connection to a new treatment system.
    - (2) Easement costs or land acquisition costs .
    - (3) Excessive property restoration beyond a reasonable amount necessary to comply with the Maine Subsurface Wastewater Disposal Rules or contract documents.

- (4) Other unnecessary costs or excessive charges as determined by the commissioner.

## **7. Requirements for inclusion in program**

**A. Eligible systems.** Only replacement systems for buildings whose owners are required to eliminate a licensed discharge to comply with 38 M.R.S.A. § 414-A (1-B) are eligible for funding.

**B. Non-eligible systems.** Replacement systems are ineligible for funding in the following situations.

- (1) A building that did not have a licensed overboard discharge prior to September 30, 1989.

- (2) A building that is otherwise not in compliance with laws of the State or the municipality.

**C. Funding through the applicant.** Individual systems may be funded through a municipal or quasi-municipal applicant, if and when the following requirements are met:

- (1) The individual system meets the eligibility criteria of Section 7(A); and

- (2) The owner of the individual system has submitted to the applicant a signed agreement form. This agreement must:

- (a) Grant access to the site for design, construction and inspection of the required facilities;

- (b) Require payment of owner's share of project prior to work; and

- (c) State that the owner is responsible for maintenance and repair of any malfunction of the system.

**8. Design of treatment system.** The applicant shall secure the services of a qualified individual or consulting firm for a design. A licensed site evaluator may design subsurface wastewater disposal systems up to 2,000 gallons per day (gpd) in size. A professional engineer is required to design and prepare contract documents for wastewater disposal systems in excess of 2,000 gpd.

## **9. Cost quotations, contract awards and State payments**

**A. Bidding procedure.** The applicant is required to solicit bids from area contractors using contract documents for the project. Sealed competitive bids are required for all contracts. An advertisement for bids must be published in a local newspaper at least seven (7) days before bids are opened. The systems must be bid as follows.

- (1) Separate contracts for single, individual systems will be drawn for each individual system, and the contract award will be a lump sum for each individual system; or

- (2) A single contract for a group of individual systems may be drawn for all individual systems. In this case, the basis of award will still be a lump sum for construction of each individual system.

**B. Contract documents.** Contract documents must include forms such as the following and must be approved by the department.

- (1) Bid proposal form;
- (2) Contract agreement;
- (3) General conditions;
- (4) Construction specifications;
- (5) Construction plans; and
- (6) Change order form.

**C. Award of construction contracts.** The applicant shall award construction contracts to the lowest bidder, provided that the contractors selected have demonstrated ability to perform this kind of work and will comply with all State laws and the contract documents required by Section 9(B) of this chapter .

**D. State payments.** Payments for eligible costs up to the limit of funding are remitted to the applicant as they are incurred. A payment request consists of a letter and payment request form detailing the eligible expenses with documentation attached. Copies of design invoices, construction contracts, inspection invoices, advertisement invoices and change order statements are the usual documentation required for payment, however, the department may require additional documentation in particular cases if necessary to prove the appropriateness of payment.

**10. Inspection of treatment system.** All construction under grants pursuant to this chapter must be inspected as follows.

**A. Engineered subsurface systems.** For systems of wastewater flow greater than 2,000 gpd, the services of an on-site inspector hired by the consulting engineer are required.

**B. Non-engineered subsurface systems.** For systems of wastewater flow less than 2,000 gpd, inspection by the local plumbing inspector, consulting engineer, site evaluator, or DEP project engineer are required.

AUTHORITY: 38 M.R.S.A. § 411-A

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